

ATTACHMENT C

November 1, 2016

Greg Zoeller, Indiana Attorney General

Attn: Marguerite, M. Sweeney

Deputy Attorney General

Section Chief, Telephone Privacy

RE: CID No. 16-00001-8370

Dear Ms. Sweeney:

I was contacted by the vendor, Smartcall Inc, who I have been using for a Get-Out-The-Vote phone campaign. They informed me that you had possibly sent a letter via email, which I received late due to rarely checking that particular email address. I have reviewed your letter and have prepared a response to clarify the pending CID.

I am aware that there were wireless calls placed between April 01, 2016 – May 15, 2016 to the State of Indiana. Lots of supporters from the State of Indiana sent in hand written support letters (in response to our radio ads in support of Trump) with phrases like “Keep me updated and keep up the good work! I support what you all are doing 100%”. In addition, during these particular flight dates, I sent out mail pieces (see attachment) that requested phone number from supporters. If the supporter left his or her phone number (wireless or non-wireless) and/or email address on the letter, our volunteer mail staffer would then record this information in excel to the best of her ability. These phone numbers were then added to an internal supporter list and called by volunteers or on occasion sent pre-recorded messages. I believe that this constitutes written permission.

Likewise, supporters would also write letters to us saying they would like to be removed from our call/ mailing list with phrases like, “I support Trump all the way, but I’d rather you not send anymore calls, thank you...” In this case, our mail staffer would create a list on the excel spreadsheet of people who wanted to be removed and I would add these people to our internal customer do not call list. Unfortunately, the FEC only requires the PAC to disclose and file supporter fields such as *name and occupation*, and not actual scans of any letters- thus none of the letters were kept. I did however attach a sample of the sample letter we used to acquire phone numbers such as the phone numbers in Exhibit “A”.

I can tell you with certainty that the State of Indiana was added to the Do Not Call State list on May 15, 2016 after deciding that the benefits of getting a hold of such a small number of people that were asking to be updated in the state of Indiana were nowhere near worth the risk of the potential civil liabilities. I thought it best at that to stop the call updates entirely at that point and "play it safe" to avoid exactly this situation. Furthermore, as a guarantee, the functionality of the Smartcall platform allows me to block Indiana entirely from being called, and Liberty Action Group has not called any of our supporters in Indiana since May 15, 2016.

Sincerely,

J [REDACTED] C [REDACTED]

Director, Liberty Action Group PAC